



Dallas Park & Recreation

# **Fair Park First Contract Amendments**

Park and Recreation Board  
March 25, 2021

# Purpose

- Overview of current Agreement with Fair Park First
- Provide a review of various requested modifications to the agreement to address contract items identified during the first years of partnership with Fair Park First
- Receive Board's feedback prior to bringing deal points back to the Board on April 8, 2021

# Overview of Agreement and Need for Supplemental Agreement

Fair Park First oversees the general management, operations and maintenance of the grounds and facilities as a year-round destination

- Agreement executed October 24, 2018
- 20-year management agreement with two (2) consecutive five-year extension terms

The original RFP and subsequent Agreement requires amendments to address contract concerns and clarifications within several sections of the Agreement

# Supplemental Agreement Items

- These contract amendments/modifications are an effort to clean up items identified in the first two years of partnership with Fair Park First
  - Omissions from the Request for Proposal
  - Clarify contract language going forward
  - Improve management processes
- Staff has provided feedback to Fair Park First on the following possible contract amendments or modifications:
  - Amend Section 3.01 (c) - Payment from a month-to-month payment beginning on October 1, 2021 to a payment schedule of ½ at the beginning of October and the remaining payments spread over three additional quarters
  - Amend Section 3.01 (f) - Capital Improvement Plan Appropriation from a month-to-month payment to a payment being made within 90-days of City's approval of the Capital Improvement Plan
  - Amend Section 3.02 (a) - Use of Funds in annual Appropriation to Support Resident Institutions to remove the requirement of FPF to fund and oversee the four partners (Texas Discovery Gardens, Music Hall at Fair Park, African American Museum and The Hall of State)

## Supplemental Agreement Items (continued)

- Add Section 3.02(b) - Management and Operations of the Children's Aquarium to Fair Park First
    - FPF to manage operations
    - FPF to set performance measures
    - City to pay FPF a one-time lump sum of \$500,000 for operation and maintenance of the Children's Aquarium
  - Amend Section 4.20 - City Access to Fair Park to provide clarification for use of the properties by the City
  - Amend Section 5.01 - Utilities to clarify that City is to be named on all utilities
  - Amend Section 7.02 - Fees and Charges to allow for Fair Park First to set fees that would be charged for City's use of Fair Park buildings and facilities as identified in Section 4.20
  - Amend Section 14.03 - General Provisions to clarify language regarding authorized tenants in Fair Park not having ability to mortgage or encumber leaseholder rights and interests without City approval. If/When City approval is granted, no interest in Fair Park property would be greater than the rights of the City.
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## Next Steps

- Obtain feedback from the Park Board on these possible amendments and modifications
- Staff will bring a voting item to Admin and Finance Committee on April 8, 2021 and then to the Board for approval on the same day
- Item has tentatively been scheduled for Council on April 14, 2021

# Questions/Comments



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